

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.1577 of 2006

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DATED: 30-01-2006

Between:

S.Narsaiah . . .Petitioner

And

The Singareni Collieries Company Ltd.,

Khammam District. . .Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.1577 of 2006

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ORDER:

The petitioner joined the services of Singareni Collieries Company Ltd., Khammam District, as General Mazdoor in the year 1975. He did not undergo education in any school. His date of birth was entered as 13-10-1950, on the basis of the certification made by the Medical Officers, at that time. He states that the Civil Surgeon, Bellampally, examined him on 29-01-1983 and found that his date of birth is approximately 15-10-1952. He claims to have made a representation in the year 2004 for correction of date of birth, and complains that no action has been taken thereon.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondent.

On account of the fact that the petitioner did not undergo education in any school, nor did he produce any proof showing his date of birth, the respondent got his age assessed by the concerned medical authority in the year 1975, when the petitioner joined service. The date of birth was entered as 13-10-1950. The petitioner did not doubt the same for the past three decades. Now, he comes forward with a plea that his date of birth is not 13-10-1950 and it is a date subsequent thereto.

The so-called certification made by the Civil Surgeon at Bellampally issued on 29-01-1983, cannot be treated as any basis. The reason is that it is a certificate obtained by the petitioner himself, without any reference by the respondent. The respondent organization has its own rules, which prescribe the procedure for correction or assessment of date of birth of its employees, whenever there exists any dispute. Unless such procedure is followed, the petitioner cannot be

extended any such benefit.

For the foregoing reasons, the writ petition is disposed of, and the respondent is directed to consider the case of the petitioner in accordance with the existing rules, and to decide whether the date of birth of the petitioner, as entered in the service record, needs any change, depending on the outcome of such enquiry. There shall be no order as to costs.

(L.NARASIMHA REDDY, J)

30th JANUARY, 2006.

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